

EXHIBIT 2



Village of Sleepy Hollow
Department of Architecture, Land Use Development,
Buildings & Building Compliance
28 Beekman Avenue
Sleepy Hollow, NY 10591
Telephone (914) 366-5101 · Fax (914) 631-0607

APPEAL AND PETITION FOR VARIANCE UNDER ZONING ORDINANCE

Date: September 14, 2012

1. The undersigned, property owner or agent for property owner, of the property known as 300 North Broadway, section 115.11, block 4 lot 27 in the C-1 zoning district, hereby gives notice of appeal from the decision of the Building Inspector made on the 19th day of July, 2012, in refusing to issue a Building Permit for the renovation and occupancy of an existing office building as a not-for-profit medical clinic

_____ on the ground that the same would be in violation of the provisions of Section s . * subsection _____, paragraph _____ of the Zoning Ordinance of the Village of Sleepy Hollow, for the following stated reason(s):

The proposed use will provide ten parking spaces where 40 are required by the Village of Sleepy Hollow Zoning Ordinance. The Appellant seeks (1) an area variance from Section 450-41E; and (2) an interpretation that no variance is needed from Sections 450-41B(1 and 4) and 450-53(A and B) or, in the alternative, a variance from such provisions.

Appellant alleges:

2. (a) That there are special and unusual circumstances and conditions affecting said property that are unique and peculiar to said property and do not apply generally to other property in the vicinity, and have not resulted from any act of the applicant, which circumstances and conditions are as follows:

See the letter of Hocherman Tortorella & Wekstein, LLP, dated September 14, 2012, and the exhibits annexed thereto (collectively, the "Open Door Submission") for a comprehensive discussion of the legal and factual bases establishing that the requested variance(s) should be granted.

*450-41(E) (number of required parking spaces) (and, if deemed necessary, 450-41(B) (1 and 4) and 450-53(A and B) (relating to the location of required parking spaces and the requirements for an off-site parking area)

(b) That by reason of the aforesaid unusual and peculiar circumstance(s) and condition(s), (there are practical difficulties in the way of carrying out the strict letter of the provisions of Section 450, subsection 41, paragraph E * of the Zoning Ordinance of the Village of Sleepy Hollow would result in unnecessary hardship), to the extent that strict application of said provisions would deprive appellant of the reasonable use of said property, which (practical difficulties are) (unnecessary hardship would be) as follows:

See Open Door Submission for a comprehensive analysis of why the variance should be granted from the requirements of Section 450-41E of the Zoning Ordinance under Village Law §7-712b3(b) and Section 450-80C(2)(b) of the Village Code, and why no variance is necessary from the requirements of Sections 450-41B (1 and 4) and 450-53 of the Zoning Ordinance or, in the alternative, why a variance from such provisions is warranted under Village Law §7-712b3(b) and Section 450-80C(2)(b) of the Village Code.

3. Because of the aforesaid alleged facts, appearance before the Zoning Board of Appeals, in acting on this appeal, to vary the strict application of the aforesaid provisions of the Zoning Ordinance of the Village of Sleepy Hollow to said property, to the following specific extent:

Allowing renovation and occupancy of the existing building with 10 parking spaces when 40 are required.

Attached hereto are:

- A. Application to the Building Inspector for Building Permit (Certificate of Occupancy).
- B. Preliminary plans and lot layout
- C. The Open Door Submission (including 8 Exhibits)

4. Appellant further alleges that such variance would be in harmony with general intent and purpose of the Zoning Ordinance of the Village of Sleepy Hollow and would not be injurious and detrimental to property or persons in the neighborhood for the following reason:

See Open Door Submission

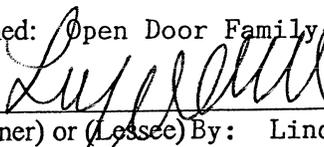
* and, to the extent deemed necessary, Section 450, Subsection 41, paragraphs B(1) and B(4) and Section 450, Subsection 53, paragraphs A and B.

NOTE: Twelve (12) copies of all material must be submitted with this application.

1. Application Fee: \$200.00

Signed: Open Door Family Medical Centers

2. Escrow Account Fee: \$500.00
(See Chapter 19B-6)



(Owner) or (Lessee) By: Lindsay Farrell
President and Chief Executive Officer

3. Minutes Fee: \$100 PER MEETING

Mailing Address: 165 Main Street

Ossining, New York 10562

Telephone Number: 914-502-1450

OFFICE USE:

I hereby certify that this Notice of Appeal was received by me (by mail or by personal delivery) on the _____ day of _____, 20__.

Signed: _____

ZONING SCHEDULE

ZONE: C-1 HIGHWAY COMMERCIAL
 SECTION: 17
 BLOCK: 20
 LOT: 25

ZONING ITEM	REQUIRED	EXISTING	PROPOSED
AREA OF LOT (SF)	NOT APPLICABLE	14,073 SF	14,073 SF UNCHANGED
WIDTH OF LOT (FT)	NOT APPLICABLE TO CORNER LOT	NOT APPLICABLE TO CORNER LOT	NOT APPLICABLE TO CORNER LOT
FLOOR AREA RATIO (SF)	NOT APPLICABLE	NOT APPLICABLE	NOT APPLICABLE
FRONT YARD (FT)	20 FT	5 FT	5 FT UNCHANGED, EXIST, NON-CONFORMING
FRONT YARD - CORNER (FT)	10 FT	5 FT	5 FT UNCHANGED, EXIST, NON-CONFORMING
REAR YARD (FT)	20 FT	15 FT	0 FT UNCHANGED, EXIST, NON-CONFORMING
ONE SIDE YARD (FT)	10 FT	5.42 FT	1.42 FT UNCHANGED, EXIST, NON-CONFORMING
COMBINED SIDE YARDS (FT)	NONE REQUIRED	NOT APPLICABLE	NOT APPLICABLE
BUILDING COVERAGE (%)	60% MAX.	48%	50%
BUILDING HEIGHT (FT/STY)	35 FT	26 FT	26 FT UNCHANGED
BUFFER (ART. IV, 62-9.C)	5 FT	0 FT	0 FT UNCHANGED, EXIST, NON-CONFORMING
PARKING	REQUIRED	EXISTING	PROPOSED
PARKING: 1 SPACE PER 300* OF GROSS FLOOR AREA FOR AN OFFICE USE	1ST FLOOR = 5,228* 17.43 SPACES 2ND FLOOR = 6,761* 22.53 SPACES TOTAL SPACES REQUIRED = 40	10 EXTERIOR SPACES PROVIDED - (3) FULL SIZE, (1) HANDICAP, (5) COMPACT, (1) NON-TRANSIENT 12 INTERIOR SPACES PROVIDED - (5) FULL SIZE, (3) COMPACT, (4) NON-TRANSIENT TOTAL EXISTING SPACES = 22	10 EXTERIOR SPACES PROVIDED - (3) FULL SIZE, (1) HANDICAP, (5) COMPACT, (1) NON-TRANSIENT TOTAL PROPOSED SPACES = 10
LOADING ZONE: 1 SPACE PER 300* OF GROSS FLOOR AREA FOR AN OFFICE USE	1 SPACE FOR AN OFFICE USE UNDER 20,000 SF.	(1) 350* SPACE, 10' MINIMUM WIDTH, 14' CLEAR HEIGHT	(1) SPACE PROVIDED ON-SITE

Scale: NONE	Date: 9-10-12	OPEN DOOR FAMILY MEDICAL CENTER 300 NORTH BROADWAY SLEEPY HOLLOW, NY	545.5 WESTCHESTER AVENUE RYE BROOK, NY 10573 914-937-5596	ARCHITECTURE FACILITY PLANNING INTERIORS 
-------------	---------------	--------------------------------------------------------------------------------	-----------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------